

**AMENDMENTS TO THE CLAIMS**

Please amend the claim language in accordance with the following listing of claims, which replaces all prior versions and listings of claims in the instant application:

**Listing of Claims:**

Claims 1-57 (cancelled)

58. (currently amended) A colorant composition suitable as a precursor to an aqueous latex paint, which ~~includes~~ colorant composition consists essentially of at least one pigment, water, and a copolymer surfactant comprising the following monomers

(a) from about 10% to about 80% by weight of at least one C<sub>3</sub>-C<sub>12</sub>  $\alpha,\beta$ -ethylenically unsaturated carboxylic acid or anhydride,

(b) from about 10% to about 80% by weight of at least one C<sub>2</sub>-C<sub>12</sub>  $\alpha,\beta$ -ethylenically unsaturated vinyl monomer, and

(c) from about 0.01% to about 20% by weight of at least one surfactant monomer,

and which, ~~when incorporated in a paint formed of a mixture comprising said composition and a tint base, causes~~ is capable of causing the Stormer low-shear viscosity of said an aqueous latex paint formed of a mixture comprising said composition and a tint-base to be within about  $\pm 10\%$  of the Stormer low-shear viscosity of said tint-base.

59. (currently amended) The colorant composition of claim 58, which further ~~comprises~~ includes at least one oxygenated solvent.

60. (currently amended) A method of making the colorant composition of claim 58 ~~comprising~~ consisting essentially of admixing said copolymer surfactant, water and said at least one pigment, wherein said at least one pigment is one or more organic pigments, one or more

inorganic pigments, or a mixture of one or more organic pigments and one or more inorganic pigments.

61. (currently amended) The method of claim 60, wherein the colorant composition further ~~comprises~~ includes at least one conventional surfactant.

62. (previously presented) The method of claim 61, wherein the conventional surfactant is an anionic surfactant, a nonionic surfactant, an amphoteric surfactant, or a mixture thereof.

63. (currently amended) The method of claim 60, wherein the colorant composition further ~~comprises~~ includes a water-soluble polymer selected from a polycarboxylic acid, a copolymer comprising a monomer containing a carboxylic acid, an alkali soluble emulsion polymer, a cellulose derivative, a salt of a polyacrylic acid, a salt of a copolymer comprising a monomer containing an acrylic acid, polyvinylpyrrolidone, a copolymer comprising vinylpyrrolidone monomer, or a mixture thereof.

64. (previously presented) The method of claim 63, wherein the water-soluble polymer is a salt of a polyacrylic acid, a salt of a copolymer comprising a monomer containing an acrylic acid, or a mixture thereof.

65. (previously presented) The method of claim 60, wherein the inorganic pigment is titanium dioxide white, carbon black, lampblack, black iron oxide, yellow iron oxide, brown iron oxide, red iron oxide, or a mixture thereof.

66. (previously presented) The method of claim 60, wherein the organic pigment is phthalocyanine blue, phthalocyanine green, monoarylide yellow, diarylide yellow, benzimidazolone yellow, heterocyclic yellow, DAN orange, quinacridone magenta, quinacridone violet, organic red, or a mixture thereof.

67. (previously presented) The method of claim 66, wherein the organic red is metallized azo red, a nonmetallized azo red, or a mixture thereof.

68. (previously presented) The colorant composition as defined in claim 58, wherein the copolymer surfactant is formed of the following monomers

(a) from about 10% to about 80% by weight of methacrylic or acrylic acid,

(b) from about 10% to about 80% by weight of a first vinyl ester which is alkyl methacrylate, the alkyl of which is of from 2 to 12 carbon atoms, and a second vinyl ester of from 2 to 12 carbon atoms, and

(c) from about 0.01% to about 20% by weight of a surfactant containing an alkylphenyl or tristyrylphenyl moiety.

69. (currently amended) A method of making the colorant composition of claim 68 ~~comprising~~ consisting essentially of admixing said copolymer surfactant, water and said at least one pigment, wherein said at least one pigment is one or more organic pigments, one or more inorganic pigments, or a mixture of one or more organic pigments and one or more inorganic pigments.

70. (currently amended) A method of claim 69, wherein the colorant composition further ~~comprises~~ includes at least one conventional surfactant.

71. (previously presented) The method of claim 70, wherein the conventional surfactant is an anionic surfactant, a nonionic surfactant, an amphoteric surfactant, or a mixture thereof.

72. (currently amended) The method of claim 69, wherein the colorant composition further ~~comprises~~ includes a water-soluble polymer selected from a polycarboxylic acid, a copolymer comprising a monomer containing a carboxylic acid, an alkali soluble emulsion polymer, a cellulose derivative, a salt of a polyacrylic acid, a salt of a copolymer comprising a

monomer containing an acrylic acid, polyvinylpyrrolidone, a copolymer comprising vinylpyrrolidone monomer, or a mixture thereof.

73. (previously presented) The method of claim 72, wherein the water-soluble polymer is a salt of a polyacrylic acid, a salt of a copolymer comprising a monomer containing an acrylic acid, or a mixture thereof.

74. (previously presented) The method of claim 69, wherein the inorganic pigment is titanium dioxide white, carbon black, lampblack, black iron oxide, yellow iron oxide, brown iron oxide, red iron oxide, or a mixture thereof.

75. (previously presented) The method of claim 69, wherein the organic pigment is phthalocyanine blue, phthalocyanine green, monoarylide yellow, diarylide yellow, benzimidazolone yellow, heterocyclic yellow, DAN orange, quinacridone magenta, quinacridone violet, organic red, or a mixture thereof.

76. (previously presented) The method of claim 75, wherein the organic red is metallized azo red, a nonmetallized azo red, or a mixture thereof.

77. (currently amended) The colorant composition of claim 58, wherein the copolymer surfactant ~~comprises~~ is formed of the following monomers

- (a) from about 10% to about 80% by weight of methacrylic or acrylic acid,
- (b) from about 10% to about 80% by weight of ethyl methacrylate, and vinyl acetate, and
- (c) from about 0.01% to about 20% by weight tristyrylphenylpoly(ethyleneoxy) methacrylate.

78. (currently amended) A An aqueous latex paint which comprises a mixture of a tint-base, and a colorant composition as defined in claim 58, ~~containing at least one pigment, water, and a copolymer surfactant, which copolymer surfactant comprises the following monomers~~  
~~————— (a) from about 10% to about 80% by weight of at least one C<sub>3</sub>-C<sub>12</sub>- $\alpha,\beta$ -ethylenically unsaturated carboxylic acid or anhydride,~~  
~~————— (b) from about 10% to about 80% by weight of at least one C<sub>2</sub>-C<sub>12</sub>- $\alpha,\beta$ -ethylenically unsaturated vinyl monomer, and~~  
~~————— (c) from about 0.01% to about 20% by weight of at least one surfactant monomer,~~  
the paint having a Stormer low-shear viscosity within about  $\pm 10\%$  of the Stormer low-shear viscosity of the said tint-base from which the paint was formed.

79. (previously presented) The paint of claim 78, wherein the paint does not substantially change color after rub-up.

80. (canceled)

81. (canceled)

82. (currently amended) The paint of claim ~~81~~ 78, wherein the paint further comprises at least one associative thickener.

83. (previously presented) The paint of claim 82, wherein the associative thickener is a nonionic hydrophobically modified ethylene oxide urethane block copolymer, a hydrophobically-modified polyether, a hydrophobically-modified alkali soluble emulsion, a hydrophobically-modified poly(meth)acrylic acid, a hydrophobically-modified hydroxyethyl cellulose, a hydrophobically-modified poly(acrylamide), or a mixture thereof.

84. (previously presented) The paint of claim 78, wherein the Stormer low-shear viscosity of the paint is within about  $\pm 5\%$  of the Stormer low-shear viscosity of the tint-base from which the paint was formed.

85. (previously presented) The paint of claim 84, wherein the Stormer low-shear viscosity of the paint is within about  $\pm 3\%$  of the Stormer low-shear viscosity of the tint-base from which the paint was formed.

86. (previously presented) The paint of claim 78, wherein the ICI high-shear viscosity of the paint is within about  $\pm 10\%$  of the ICI high-shear viscosity of the tint-base from which the paint was formed.

87. (previously presented) The paint of claim 78, wherein the flow/level rating of the paint, measured at 25°C according to ASTM Standard D4062-99, is about 10.

88. (currently amended) A method of making the paint of claim 78, which comprises admixing said tint-base and said colorant composition.

89. (previously presented) The paint as defined in claim 78, wherein the copolymer surfactant comprises the following monomers

(a) from about 10% to about 80% by weight of methacrylic or acrylic acid,

(b) from about 10% to about 80% by weight of a first vinyl ester which is alkyl methacrylate, the alkyl of which is of from 2 to 12 carbon atoms, and a second vinyl ester of from 2 to 12 carbon atoms, and

(c) from about 0.01% to about 20% by weight of a surfactant containing an alkylphenyl or tristyrylphenyl moiety.

90. (previously presented) The paint of claim 89, wherein the paint does not substantially change color after rub-up.

91. (canceled)

92. (canceled)

93. (currently amended ) The paint of claim 92 89, wherein the paint further comprises at least one associative thickener.

94. (previously presented) The paint of claim 93, wherein the associative thickener is a nonionic hydrophobically modified ethylene oxide urethane block copolymer, a hydrophobically-modified polyether, a hydrophobically-modified alkali soluble emulsion, a hydrophobically-modified poly(meth)acrylic acid, a hydrophobically-modified hydroxyethyl cellulose, a hydrophobically-modified poly(acrylamide), or a mixture thereof.

95. (previously presented) The paint of claim 92, wherein the Stormer low-shear viscosity of the paint is within about  $\pm 5\%$  of the Stormer low-shear viscosity of the tint-base from which the paint was formed.

96. (previously presented) The paint of claim 95, wherein the Stormer low-shear viscosity of the paint is within about  $\pm 3\%$  of the Stormer low-shear viscosity of the tint-base from which the paint was formed.

97. (previously presented) The paint of claim 89, wherein the ICI high-shear viscosity of the paint is within about  $\pm 10\%$  of the ICI high-shear viscosity of the tint-base from which the paint was formed.

98. (previously presented) The paint of claim 89, wherein the flow/level rating of the paint, measured at 25°C according to ASTM Standard D4062-99, is about 10.

99. (currently amended) The method of making the paint of claim 89, which comprises admixing said tint-base and said colorant composition.

100. (currently amended) A copolymer surfactant formed of the following monomers

(a) from about 10% to about 80% by weight of methacrylic or acrylic acid,

(b) from about 10% to about 80% by weight of a first vinyl ester which is alkyl methacrylate, the alkyl of which is of from 2 to 12 carbon atoms, and a second vinyl ester of from 2 to 12 carbon atoms, and

(c) from about 0.01% to about 20% by weight of tristyrylphenylpoly(ethyleneoxy) methacrylate,

and which is capable, ~~when incorporated in a colorant composition in effective amount,~~ of causing the Stormer low-shear viscosity of a paint comprising a tint-base and ~~said a colorant composition consisting essentially of at least one pigment, water and an effective amount of said copolymer surfactant~~ to be within about  $\pm 10\%$  of the Stormer low-shear viscosity of the tint-base.

101. (currently amended) A copolymer surfactant formed of the following monomers

(a) from about 10% to about 80% by weight of methacrylic or acrylic acid,

(b) from about 10% to about 80% by weight of ethyl methacrylate, and vinyl acetate, and

(c) from about 0.01% to about 20% by weight tristyrylphenylpoly(ethyleneoxy) methacrylate,

and which is capable ~~when incorporated in a colorant composition in effective amount,~~ of causing the Stormer low-shear viscosity of a paint comprising a tint-base and ~~said a colorant composition consisting essentially of at least one pigment, water and an effective amount of said copolymer surfactant~~ to be within about  $\pm 10\%$  of the Stormer low-shear viscosity of the tint-base.